

July 18, 2002

Honorable Cecil J. Picard
Superintendent of Education
Louisiana State Department of Education
Post Office Box 94064
Baton Rouge, LA 70804-9064

Dear Superintendent Picard:

We have determined that Louisiana's application for Fiscal Year (FY) 2002 funds, under Part C of the Individuals with Disabilities Education Act (Part C), can be approved. Therefore, I am enclosing your State's Part C grant award.

The approval is based upon our receipt of your assurances for FY 2002. This includes the assurance from the Louisiana Department of Education (LDE) that the statewide system of early intervention services required by Part C and its implementing regulations is in effect.

It is our understanding from several telephone conversations with leadership staff from the Governor's Office, LDE, and the Louisiana Department of Health and Hospitals (LDHH), as well as a June 27, 2002 letter from Virginia Beridon to Lawrence Ringer of my staff, that the Governor intends to change the State's Lead Agency for Part C from LDE to LDHH, effective no later than July 1, 2003. It is our further understanding the Children's Cabinet of the Governor's Office is taking a leading role in facilitating this transition.

In the cover letter to OSEP's July 20, 2001 Louisiana Report, OSEP emphasized the serious and systemic nature of the findings of noncompliance, and OSEP's concern that the correction of the noncompliance will require long-term sustained efforts by the State in order to bring about necessary correction of all deficiencies. OSEP urged the State to consider requesting that the Secretary enter into a compliance agreement with the State. With the additional complexities presented by the impending designation of a new Lead Agency, and the continuing serious noncompliance, we again urge the State to enter into discussions with the Department regarding the potential of a compliance agreement to provide the State with up to three years to effectively implement a Statewide systemic plan to correct the noncompliance and make strong improvements in results for infants and toddlers with disabilities and their families.

Our records indicate that, for the last four Part C grants for which the obligation and liquidation period has ended (grants from Federal fiscal years 1996-1999), Louisiana has failed to spend its entire grant amount. In several of those years, substantial amounts have remained unexpended, and were in effect returned to the U.S. Treasury. These funds could have been used by Louisiana to better serve all infants and toddlers with disabilities in your State; alternatively, if Louisiana had, on a timely basis, elected not to receive its entire grant award, the Department could have

reallocated those funds to the other States for Part C early intervention services. If, by July 1, 2003, you anticipate being unable to obligate all of the funds from the Part C 2002 grant award within the obligation period, please notify us immediately of the amount you will not be using to carry out the Part C program, so that the amount can be reallocated to other States. If you are unable to obligate all funds from the Part C 2001 grant award, please notify us as soon as possible so we can reallocate the funds to other States by September 30, 2002.

The enclosed grant award for FY 2002 is made with the continued understanding that this Office may, from time to time, require clarification of information within your application and appendices, if necessary. These inquiries are needed to allow us to appropriately carry out our administrative responsibilities related to Part C.

We appreciate your ongoing commitment to the provision of quality early intervention services to infants and toddlers with disabilities and their families.

Sincerely,

Stephanie S. Lee
Director
Office of Special Education Programs

Enclosure

cc: Mr. Rodney Watson
Assistant Superintendent

Ms. Virginia Beridon
State Director of Special Education

Ms. Evelyn Johnson
Part C Coordinator

Ms. Suzy Sonnier
Executive Director, Governor's Children's Cabinet